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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,638	09/08/2003	Gregory E. Manning	COSS 8741US	2814
1688	7590	11/14/2006	EXAMINER A, PHI DIEU TRAN	
POLSTER, LIEDER, WOODRUFF & LUCCHESI 12412 POWERSCOURT DRIVE SUITE 200 ST. LOUIS, MO 63131-3615			ART UNIT 3637	PAPER NUMBER

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/657,638

Applicant(s)

MANNING ET AL.

Examiner

Phi D. A

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11, 18-20 and 22-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 18-20 and 22-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/29/06 has been entered.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 10-11, 18-20, 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Helfman (4376353) in view of Noyes (4015382).

Helfman (figure 1) shows a training apparatus including a portable base plate (26, the sill/plate inherently is portable before being nailed down), a rigid door frame removably secured in an upright configuration to the portable base plate, the door frame consisting of a left vertical jamb (20) removably coupled to the portable base plate, a right vertical jamb(22) removably coupled to the portable base plate, a header (24) coupled between a top of the left and right vertical jambs, the frame having a front face, a rear face and an inner peripheral surface, at least one hinge brackets (50, 52) secured to one of the left and right jambs on a rear face of the frame, a door member (14) secured within said inner peripheral surface of the frame by the hinge

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brackets, the at least one hinge brackets are secured to the jamb by at least one frangible connector (the joint of the hinge and nails are both frangible connector as they will break when sufficient force is applied), the one or more hinge brackets are secured to the door by at least one frangible connector (the joint of the hinge and screw 58 are both frangible connector as they will break when sufficient force is applied), at least one removable attachment component coupling the door frame to a perimeter edge of the door (hinge 48), the component being a frangible connector (the joint of the hinge is frangible), first and second holding brackets secured to a second of the left and right jambs on the rear face of the door frame, the first holding bracket secured at a door knob height (where the knob is), the second holding bracket (64) secured at a deadbolt lock height, the rigid door frame is free standing when secured to the base plate (inherently so), the rigid door frame and the secured door are free standing when secured to the base plate (inherently so), the portable base plate having a transverse dimension which is substantially greater than a transverse dimension of the rigid door frame, the rigid door frame and the secured door are supported in the upright configuration exclusively by attachment to the base plate (inherently so as the header and the jambs form a structure that sits on the plate), the rigid door frame is supported in the upright configuration exclusively by the removable couplings of the left and right vertical jambs to the portable base plate (inherently so as the door frame rests on the plate and the plate supports the vertical load thereof).

Helfman does not show at least one stationary holding brackets secured to a second of the left and right jambs on the rear face of the door frame, each of the holding brackets extending inward from the vertical jambs, external from, and parallel to a rear vertical plane of the rigid door frame, at least one holding brackets are secured to the jamb by at least one frangible

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connector, each of the holding brackets are secured to the door by at least one frangible connector, the at least one of holding brackets being aligned substantially with a door locket, the door is restricted from rearward opening by the at least one holding brackets having a predetermined holding strength, the predetermined holding strength is selected to approximate a door lockset holding strength.

Bowman shows at least on stationary holding brackets secured to a second of the left and right jambs on the rear face of the door frame, each of the brackets extending inward from the vertical jambs, external from, and parallel to a rear vertical plane of the rigid door frame, at least one holding brackets are secured to the jamb by at least one frangible connector, each of the holding brackets are secured to the door by at least one frangible connector, the door is restricted from rearward opening by the at least one holding brackets having a predetermined holding strength, the predetermined holding strength is selected to approximate a door lockset holding strength.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Helfman's structure to show at least on stationary holding brackets secured to a second of the left and right jambs on the rear face of the door frame, each of the brackets extending inward from the vertical jambs, external from, and parallel to a rear vertical plane of the rigid door frame, at least one holding brackets are secured to the jamb by at least one frangible connector, each of the holding brackets are secured to the door by at least one frangible connector, the door is restricted from rearward opening by the at least one holding brackets having a predetermined holding strength, the predetermined holding strength is selected to

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approximate a door lockset holding strength because it would enhance the security of the door against entry as taught by Bowman.

Helfman as modified further shows the at least one of holding brackets being aligned substantially with a door locket, the door member restricted from rearward opening by interference with a holding brackets.

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Helfman (4376353) in view of Noyes (4015382) as applied to claim 1 above and further in view of Noyes (4015382).

Helfman as modified shows all the claimed limitations except for the frame being secured to the base plate by a plurality of removable bolts, the header coupled between the left right jambs by removable bolts.

Noyes shows bolts (55) connecting doorframe elements together.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Helfman's modified structure to show the frame being secured to the base plate by a plurality of removable bolts, the header coupled between the left right jambs by removable bolts because using removable bolts to attach door frame members together would

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enable the secured fastening of the frame members together as taught by Noyes; furthermore, the use of welding, screws, bolts, adhesive to connect jamb frame members is known in the art as they provide for easy ways to attach the door frame members together.

Helfman as modified further shows the doorframe being detachable from the base plate and disassemble into a plurality of discrete components.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-11, 18-20, 22-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

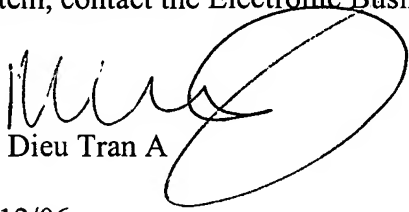
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art shows different holding brackets.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi D A whose telephone number is 571-272-6864. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Phi Dieu Tran A

11/12/06